

For the reasons set forth in the accompanying Memorandum Opinion, the Court **OVERRULES** the objections to the magistrate judge's recommendation that the Transportation Defendants' motion for summary judgment be granted. Further, as also explained in the accompanying Memorandum, the Court has considered the plaintiff's specific objections and conducted a *de novo* review of the record and the

filings related to the Transportation Defendants' motion for summary judgment. On the basis of this review, the Court **ACCEPTS** the magistrate judge's recommendation that the Transportation Defendants' motion for summary judgment be granted and hereby **GRANTS** the Transportation Defendants' motion for summary judgment (ECF No. 167).

The granting of the Transportation Defendants' motion for summary judgment renders moot the plaintiff's objections to the denial of his motion to extend the discovery period to permit him to respond to the Transportation Defendants' motion for summary judgment. The objections (ECF No. 249) are therefore **OVERRULED**. The court further notes that the objections, filed on August 19, 2015 (giving the plaintiff the benefit of the mailbox rule) are untimely, having been filed more than fourteen days after entry of the order(s) to which the plaintiff objects.¹ Moreover, the plaintiff has failed to establish that the magistrate judge's decision was clearly erroneous as a factual matter or contrary to law. See 28 U.S.C. § 636(b)(1)(A) (limiting the district court's review of a magistrate judge's resolution of a non-dispositive pretrial matter to determining whether the order is "clearly erroneous" or "contrary to law."); *Massey v. City of Ferndale*, 7 F.3d 506, 509 (6th Cir. 1993) ("When a magistrate judge determines a non-excepted, pending pretrial matter, the district court has the authority to 'reconsider' the determination, but under a limited standard of review.").

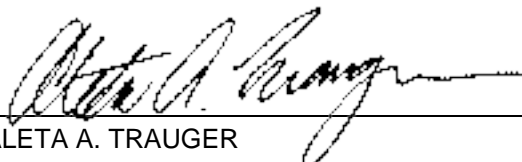
The motion to strike (ECF No. 261) is likewise **DENIED AS MOOT**. Moreover, the plaintiff has failed to show that the defendants' response is in any way improper.

Regarding the plaintiff's objections to the recommendation that the Corizon Defendants' motion for summary judgment be granted, for the reasons explained in the accompanying memorandum opinion, the court **ACCEPTS IN PART AND REJECTS IN PART** the magistrate judge's recommendation and, likewise, **GRANTS IN PART AND DENIES IN PART** the Corizon Defendants' motion (ECF No. 173). Specifically, the motion for summary judgment is **GRANTED** with respect to all claims against Corizon

¹ Although the plaintiff does not identify by docket number precisely which order or orders are the subject of his objections, the magistrate judge entered several orders on July 21, 2015 denying various motions for extension of the discovery deadline. (See ECF Nos. 227, 228, 230.) The plaintiff was served with the orders on July 24, 2015. (ECF No. 239.) The order at docket entry no. 227 denied the plaintiff's motion at docket entry no. 155 requesting an extension of time to complete discovery. The order at docket entry no. 228 denied the motions (ECF Nos. 180 and 191) for extension of time and for additional discovery in order to respond to summary judgment, and the order at docket entry no. 230 denied the motion for additional time for discovery at docket entry no. 206.

and Dr. Bernard **except** for the plaintiff's claim premised upon Dr. Bernard's authorizing him to travel back to WTSP in March 2013 in a chain bus with unpadded seats. The motion for summary judgment is **DENIED** with respect to that claim.

It is so **ORDERED**.



ALETA A. TRAUGER
United States District Judge